

It is respectfully submitted that the submission of the aforesaid DECLARATION OF MICROORGANISM DEPOSIT serves to obviate the 35 USC 112, first paragraph rejection. Withdrawal of the 35 USC 112, first paragraph rejection is therefore respectfully requested.

Claims 9, 14 to 16, 26 to 29, 62 to 78, 88 and 120 to 126 were allowed.

Claim 18 (which depends on claims 7 and 15) was objected to, but should now be allowed.

Reconsideration is requested. Allowance is solicited.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,



RICHARD S. BARTH
REG. NO. 28,180

FRISHAUF, HOLTZ, GOODMAN & CHICK, P.C.
767 THIRD AVENUE - 25TH FLOOR
NEW YORK, NEW YORK 10017-2023
Tel. Nos. (212) 319-4900
 (212) 319-4551/Ext. 219
Fax No. (212) 319-5101
E-Mail Address: BARTH@FHGC-LAW.COM

Encs.: Executed DECLARATION OF MICROORGANISM DEPOSIT
signed by Tetsuo TAKATO on April 10, 2003

Attorney Docket: 980126CIP/HG



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Nobufusa SERIZAWA et al.
Serial No. : 09/499,662
Filed : February 9, 2000
For : ANTI-FAS ANTIBODIES
Art Unit : 1642
Examiner : Yu

DECLARATION OF MICROORGANISM DEPOSIT

Commissioner for Patents
Washington, D.C. 20231

S I R :

The undersigned duly authorized official of Sankyo Company, Limited, a corporation organized under the laws of Japan, and having its office in Tokyo, Japan, the Assignee of the entire interest of the above-identified application by virtue of an Assignment recorded on February 9, 2000 in the United States Patent and Trademark Office at Reel 010608, Frame 0978, declare that:

The microorganism culture identified in the above-identified application as mouse-mouse hybridoma HFE7A (FERM BP-5828) was deposited at the National Institute of Bioscience and Human-Technology, having an address of 1-3, Higashi 1-chome, Tsukuba-shi, Ibaraki-ken, 305 Japan, an international depository authority, which affords permanence of deposit and ready accessibility thereto by the public if a United States patent is granted.

(a) Said microorganism culture was deposited under the terms of the Budapest Treaty;

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(b) Restrictions, if any, on the availability to the public of said microorganism or the culture, i.e., the deposited material, so deposited, will be irrevocably removed upon the granting of a United States patent.

The undersigned declares that all statements made herein of his own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001, of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SANKYO COMPANY, LIMITED

Date: April 10, 2003 By: Tetsuo Takato

Name: Tetsuo TAKATO

Corporate Title: Representative Director
and President